19 44

Department of Revenue

OFFICE of the Board of Revenue

STATION Madras

No. 1029

Dated 14-6-44

Pages in the file

(SUBJECT.)

Alienation - Land - Revenue - (S. Kanara) -
Mangalore Taluk - Karnire village - R.S. No 50/1B1
- School purposes - correspondent and Manager
for the time being of the Karnire Anglo
School - Proposals - Sanctioned

E. 1198. 44

From
Rao Saheb Sri P. Ramadoss, B.A.,
Collector of South Kanara.

To
The Secretary to the Board of Revenue,
Land Rev.& Irrigation, Madras.

Ref.C.No.6181-43-B2 dated 16-4-1944.

E1198 20 APR 1944

ALIENATION - Land and Revenue - Mangalore Taluk - Karmire Village - Nos. 50/1B and 50/2 Portions encroached upon - Proposals - Submitted.

S.No.50/1A of Karmire Village, Mangalore Taluk was alienated in favour of the manager, Karmire St.Antony's Aided School in B.P.Mis.No.885 dated 15-3-1937. While enclosing the alienated plot, the alienee has unknowingly included portions of S.No.50/1B and 50/2 within the compound. The encroached portions of S.No.50/1B and 50/2 are denoted as S.No.50/1B1, 50/1B3 and 50/2A in the enclosed eye-sketch. A well has been sunk in the encroached plot S.No.50/1B3. The Manager of the school applies for the alienation of the encroached plots free of land revenue. But the Dt.Educational officer, South Kanara recommends the alienation of S.No.50/1B3 only. The encroachments in S.Nos.50/1B1 and 50/2A measure 2 cents and 3 cents in extent respectively and can be ignored, as they are petty in nature and do not contain any tree-growth or other improvement.

2. A notice inviting objections to the alienation of 12 cents of land in S.No.50/1B of Karmire Village was published in the Village; but no objections have so far been received. The plot is devoid of any tree-growth. The alienation of the plot free of land Revenue assessment and free of market value, in favour of the Manager, Karmire St Antony's Aided School, for school purposes is recommended.

P.T.O.

3.. Statements for alienation of land and land revenue, an eye-sketch of the plots concerned with adangal extracts, sub-division records and a set of conditions to be imposed on the alience are enclosed.

For Collector.

To A.S (L.R)

MI 18.4.44

Subject - as in p.1 C.F.

p. 1 C.F — Q.

Refce. E.1198.44 date —

Application for the alienation of land in which the proprietary right belongs to the State.

South Kanara District.

1. Description and area:	S.No.50/1B3 measuring 12 cents of --- Karnire Village, Mangalore Taluk.
2. Market value:	Rs 3/- at Rs 25/- per acre.
3. Alience and purpose of alienation.	Mr.John B.D'Souza, Manager, Karnire St.Antony's Aided School - for school purposes.
4. Collector's remarks.	Recommended. ✓

S.Kanara Collector's Office,
Mangalore, dated 16-4-1944.

For Collector.

M 18.4.44

Application for alienation of land revenue payable to Government.

District: South Kanara.

1. Description and area:	S.No.50/1B3, measuring 12 cents in Karnire Village, Mangalore Taluk.
2. (a) Annual assessment: (b) Capitalised value) 25 times the assessment,)	Re.0-2-0 Rs 3-8-0
3. Alience and purpose of alienation.	Mr.John B.D'Souza, Manager, Karnire St. Antony's Aided School for School purposes.
4. Collector's remarks.	Recommended.

South Kanara Collector's Office,
Mangalore, dated: 16-4-1944.

½ For Collector.

M 18.4.44

To A.S (L.R)

28.4.

Issue 2/26/4

UNDELIVERED 2/5 MAY 1944

Subject - M1 as in p. 1 C.F.

p. 1 C.F Q.

Defce. E. 1198.44 — 1 d. 28-4-1944

The eyesketch of the locality and s.d. records said to have been submitted, have not been received. They should be sent at once.

2. The Collr. is requested to report the description and value of the improvements existing on S.No. 50/183 and to state why this encroachment also should not be ignored

To the Collr. of S.K.

26/4/44

1/5

A P P E N D I X.

Particulars of land:

Taluk:

Village:

S.No.

Extent:

Assessment:

The land shall be used for school purposes and for no other purposes.

2. The grantee shall use the plot for school purposes immediately from the date of the grant.

3. No other kind of building shall be constructed on the land without the previous permission of the Collector.

4. The market value of the land shall be collected if at any time it is found that the grantee derives a substantial income from the land.

5. The school shall be open to members of all castes including the Depressed Classes.

6. The land shall not be leased nor shall any alienation whatever for the occupation whether permanent or temporary be made except under the provisions of Section 160(3) of the Madras Local Boards Act or Section 183(3) of the Madras District Municipalities Act or the rules framed under the Act.

7. The Government may resume the land wholly or in part with any buildings thereon, in the event of the infringement of any of the conditions of the grant. In the event of such resumption no compensation shall be payable for any improvements that may have been effected or other works that may have been executed on the land by the grantee and the grantee shall not be entitled to the repayment of any amount that may have been paid to the Government for the grant. If there are buildings on the land, the Government may direct the grantee to remove them and in the event of the grantee refusing to remove the buildings when so directed the Government or any officer empowered by them in this behalf shall have power to remove the buildings and realise the cost of such removal by the sale of the materials.

8. The Government may resume the land wholly or in part with any buildings thereon if in the opinion of the Government the land is required for a public purpose, or for conducting mining operations. In the event of such resumption, or in the event of the acquisition of land for any reasons, the compensation payable for the land and the trees shall in no case exceed the amount paid for them by the grantee or their value at the time of resumption or acquisition whichever may be less and the compensation payable for buildings or other improvements shall in no case exceed the amount paid for them by the grantee at the time of alienation or their value at the time of resumption or acquisition, whichever may be less, if any buildings erected or other improvements effected on the land by the grantee in accordance with the terms of the grant. The amount of any grant made by the Government towards the cost of the buildings or other improvements shall be deducted from the compensation payable under this condition. But in no circumstances shall any compensation be paid by the Government in respect of buildings constructed in contravention of condition (3)

9. In the event of the voluntary relinquishment of the land by the grantee no compensation shall be payable for any improvements that may have been effected or for works that may have been executed on the land by the grantee but the grantee shall be entitled to the repayment of any amount that may have been paid to the Government for the grant or the value of the land at the time of relinquishment whichever may be less.

10. Full land Revenue shall be levied if at any time may not income

is derived from the land or if any of the conditions of alienation are infringed. In the latter case full land revenue shall be levied from the date of such infringement. The decision of the Collector on the question whether a net income is derived from the land or not is final.

~~11.~~ The Government reserve to themselves the right to all sandalwood trees and their branches and roots which exist at the time of alienation as well as those which may grow subsequently on the land and the Government shall be at liberty to cut or dig out any such trees or their roots and branches and remove them from the land at their pleasure. The alienee shall not be entitled to cut or remove them or cause them to be cut or removed without the permission of the Collector of the District.

11 ~~12.~~ The alienee shall take all reasonable measures to the satisfaction of the Collector of the District for the protection of the sandalwood trees from theft or damage and for the careful protection of the immature trees growing on the land.

12 ~~13.~~ The alienee shall take steps to see that the marks made by the officers of the Government on the Sandalwood trees are preserved and are not tampered with.

13 ~~14.~~ In the event of the infringement of, or failure to observe any of the conditions 11 to 13 the alienee shall pay the Government such compensation as is determined by the Collector of the district for any loss or damage caused by such infringement or failure on his part. The Government shall also be at liberty to resume the land and re-enter on it and the whole land shall thereupon vest absolutely in the Government. In that case, the alienee shall not be entitled to any compensation whatever

For Collector.

18.4.44

1

From
Rao Saheb Sri P. Ramadoss, B.A.,
Collector of South Kanara.

To
The Secretary to the Board of Revenue,
Land Rev.& Irrigation, Madras.

Ref.C.No. 6181-43-B3 dated 5th May 1944.

Sir,

E1393 1 - MAY 1944

ALIENATION - Land & Revenue - (South Kanara) - Mangalore Taluk - Kannire Village - S.Nos.50/1B and 50/2 (portions encroached upon) - Proposals - Further information - Furnished.

Reference: Board's Refee.No.E. 1198/44-1 dated 28-4-1944.

The eye-sketch of the locality and the sub-division records are submitted herewith.

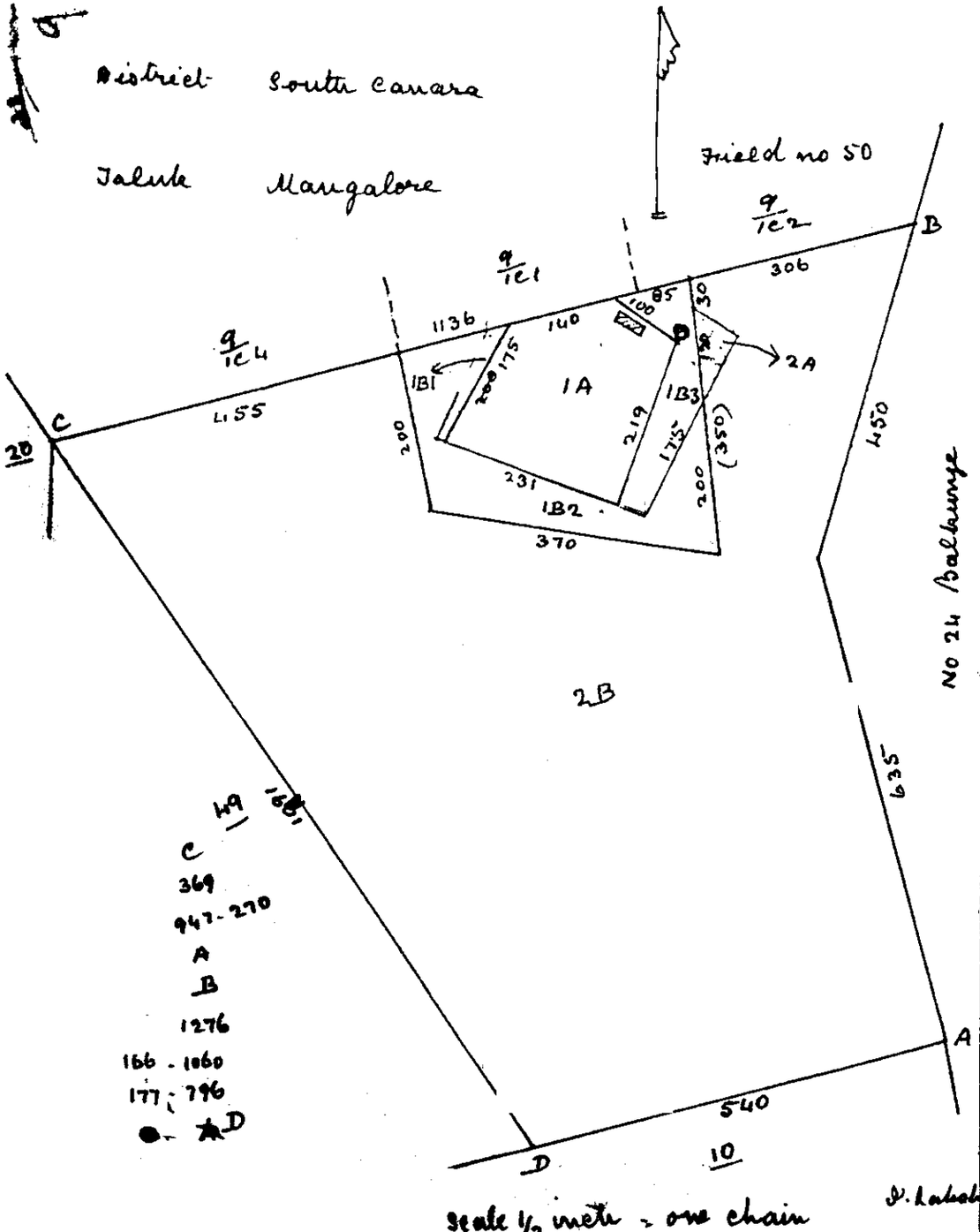
2. The encroached plot S.No.50/1B3 contains a well, the cost of which is estimated at Rs.70/-. The plot measures 1¾ cents in extent and the assessment on it works out to annas 2/-. This encroachment cannot be ignored, as it contains valuable improvements and cannot be considered as petty in nature.

For Collector.

5.5.44

District South Canara

Taluk Mangalore



Scale 1/2 inch = one chain

N. Lakshminarayana Rao
Chalukya
14-9-43

Village { no 23
name. Karnure

Index.

survey no & sub-division	number and name of Pattadar	Kadim or Hosagan	Remarks
9/1C1	39 Krishna Shetty	Hosagan	
9/1C2	6 Vittal Dev of Shiroor Matt	do	
9/1C4	42 Raya Shetty	Do	
50/1A	Plot alienated in Collr's R. Dis 5967-36/31.3.37 for the purpose of the School site		
50/1B.2	Grazing ground ~~Poramboke~~		
50/1B1.1B2, 2A	Plots proposed for alienation		
◎	Well		
▨	School building		

Meopalacha
RD Mukki

Alienation- Land Revenue- ~~Buildings~~

S. Kanara District) — Mangalore Taluk-

Karnire Village - R.S.No. 50/1B1 ~~transferred as recommended~~

~~as per~~ - school purposes - correspondent and Manager for the

~~Recommended~~ time being of the Karnire Aided School — Proposals

Sanctioned. B.P. Mis. 585 dated 15-3-37 — Q

E. 1198 - fv. 1C.F - Q

E. 1393 - fv. 7C.F - Q

~~Reference~~

Resolution Mis 1029 dated 14-6-1944

~~At the instance of the Collector of~~ (an extent of 12 cents)

The Board ~~recommends~~ sanctions the alienation of ~~the plot~~ of land

~~comprised in S.No. 50/1B3 (transferred as 50/1B1)~~ out of R.S. 50/1B

of Karnire village Mangalore

taluk (~~measuring Ac. 12 cents~~) in favour of the correspondent

and Manager for the time being of the Karnire Aided School,

for ~~use as the site of~~ school purposes.

14/6/44

2. The alienation will be free of charge for the occupancy right and free of ~~assessment~~ ground rent ~~but subject to assessment ground rent which will be liable to revision according to the rules in force at the time of such revision and subject to the payment of Rs. being the value of the trees standing on the land~~ and subject to the following conditions to which the alienee has agreed:-

(1) The land shall be used ~~as the site of~~ for school purposes only and for no other purpose.

(2) ~~The~~ The grantee shall use the plot for school purposes ~~shall be constructed within a period of years from the date of the grant~~ immediately from the date of the grant.

(3) No ~~(other)~~ building shall be constructed on the land without the previous permission of the Collector of the district.

(4) The market value of the land shall be collected if at any time it is found that the grantee derives a substantial income from the land.

(5) The school shall be open to members of all classes

(6) The Government may resume the land wholly or in part with any buildings thereon, in the event of the infringement of any of the conditions of the grant. In the event of such resumption no compensation shall be payable for any improvements that may have been effected or other works that may have been executed on the land by thegrantee and the grantee shall not be entitled to the repayment of any amount that may have been paid to the Government for the grant. If there are buildings on the land, the Government may direct the grantee to remove them and if the grantee refuses to remove them when so directed the Government or any officer empowered by them in this behalf shall have power to remove the buildings and realise the cost of such removal by the sale of the materials.

(7) The Government may resume the land wholly or in part with any buildings thereon if in the opinion of the Government the land is required for a public purpose, or for conducting mining operations. In the event of such resumption or in the event of the acquisition of the land for any reasons, the compensation payable for the land and trees shall in no case exceed the amount paid for them by thegrantee or their value at the time of resumption or acquisition whichever may be less and the compensation payable for buildings or other improvements shall in no case exceed the amount paid for them by the grantee at the time of ~~anye~~ alienation or their value at the time of resumption or acquisition, whichever may be less together with the initial cost or the value at the time of resumption or acquisition, whichever may be less, of any buildings erected or other improvements effected on the land by the grantee in accordance with the terms of the grant. The amount of any grant made by the Government towards the cost of the buildings or other improvements shall be deducted from the compensation payable under this condition. But in no circumstances shall any compensation be paid by the Government in respect of buildings

constructed

constructed in contravention of condition (3).

(8) In the evant of the voluntary relinquishment of the land by the grantee no compeneation shall be payable for any improvements that may have been effected or for works that may have been executed on the land by thegrantee but the grantee shall be entitled to the repayment of any amount that may have ~~been~~ been paid to the Government for the grant or the value of the land at the time of relinquishment whichever may be less.

(9) Full land revenue shall be levied if at any time any net income is derived from the land or if any ~~of~~ of the conditions of the alienation are infringed In the latter case, the land revenue shall be levied from the date of the infringement. The decision of the Collector on the question whether a net income is derived from the land or not shall be final.

(10) The Government reserve to themselves the right to all sandalwood trees and their branches and roots which exist at the time of alienation as well as those which may grow subsequently on the land/the Government shall be at and liberty to cut or dig out any such trees or their roots and branches and remove them from the land and dispose of them at their pleasure. The alienee shall not be entitled to cut or remove them or cause them to be cut or removed without the permission of the Collector of the district.

(11) The alienee shall take all reasonable measures to the satisfaction of the Collector of the district for the protection of the sandalwood trees from theft or damage and for the careful protection of the immature trees growing on the land.

(12) The alienee shall take steps to see that the marks made by the officers of the Government on the sandalwood trees are preserved and are not tampered with; and

(13) In the event of the infringement of, or failure to observe any of the conditions (10) to (12) the alienee shall pay to the Government such compensation as is determined by the Collector of the district for any loss or damage caused by such infringement or failure on his part. The Government shall also be at liberty to resume the land and re-enter on it and the whole land shall thereupon vest absolutely in the Government. In that case the alienee shall not be entitled to any compensation whatever.

2. The attention of the Collr is invited to the instructions for preparing the ~~revised~~ permanent 'A' Register in the Manual of V. Accounts for S.K. according to which S.No. 50/1A alienated vi B.P. Mis 985 dated 15-3-1937 should have been registered as paramboke. The Collr is requested to get the mistake rectified. ~~and have S.No.50/1B1 now alienated clubbed with merged in S.No.50/1A~~. The Collr. is requested to have the alienated portion To the Collector of S.K. ~~with s.of. records.~~ designated as 50-1-B-1 and then have it clubbed with S.No 50/1A previously alienated

,, Secretary to Government, Revenue Dept. with alienation statements (pages C.F. to be copies and sent) and sketches to be returned (pages in original.)

J.E.G.

M1
M5
M4
Ac(LA)

Note file.

~~MYSORE~~ - Land - Revenue - ~~Buildings~~ (S.Kanara District)

~~Mangalore~~ Taluk: Karwar -village Ryotwari ~~Zamin~~ ~~Inam~~

R.S. No. 50/1B3 - School purposes - Correspondent and Manager for the time being of the Karwar Aided School - Proposals. From the coll. of S.K. Ref 6187-43-B3 d. 16-4-44 and 5-5-44 Board's Cur. No. E.1198.44

Sketch at ~~P~~. (J)

1. T.S. No. 50/1B3 ✓ — Extent. 12 cents — Classification. Assessed waste dry - Reserved for grazing ground purposes ✓

2. Purpose of alienation. — School purposes ✓

3. Alienees:

   (a) Nationality with name of Head Qrs. in India and outside. — Correspondent and Manager for the time being of the Karwar Aided School. ✓

   (b) If a Company, Association or Society, how it has been registered.

4. Objections:-

   (a) whether a notice was published in the village? — Yes. ✓ No objections. ✓

   If so, any objections.

   (b) from communal point of view.

   (c) from traffic point of view.

   (d) from other points of view.

5. Trees:

   (a) their value. — No tree growth ✓

   (b) whether to be collected or waived.

(15)

E-4178

6. Buildings:

(a) their value. — { The plot contains a well sunk by the prop. abuttor, valued at Rs. 70/

(b) how to be disposed of. — Rs. 3-0-0.

7. (a) Value of the land. — Rs. 3-2-0

(b) Capitalised value of land revenue.

8. Conditions of alienation whether in order. — yes.

9. Authority competent to sanction. — Collector Board
Private body - value below Rs. 1000 - B.S.O 24-2 Vol I Pg. No. 88).

10. Collector's recommendations. — Alienation is recommended free of land value and land revenue.

I.O.F (M) In B.P. Mis. 885 d. 15-3-1937. S.No. 50/1A of Karmve V. was alienated in favour of the proposed alienee for school purposes. While enclosing the alienated plot, he included portions of S.No. 50/1B and 50/2 within the compound. The encroached portions are denoted as 50/1B1, 50/1B3 and 50/2A. S.Nos 50/1B1 and 50/2A measure 2 cents and 3 cents respectively. The coll. states that they can be ignored. S.No. 50/1B3 measures 12 cents and contains a well valued at Rs. 70/-. The coll. states that this encroachment cannot be ignored as it contains valuable improvements and that it cannot be considered petty in nature. The coll's proposal to alienate the plot free of land value and assessment may be approved. The alienation has been recommended by the Dt. Educational Officer

I.O.F — I.O.F — I.O.F — I.O.F — built by the School

11/5/44 — 11/5/44 — 13.5.44 — 13.5.44 — 16.5.44

We will merge 1B1 and 1B3 in 1A instead of keeping individual survey numbers. Also, 50/2A if there is possible. K/15/5

I agree. ECO

Forces for I.N.F.

M-1 ~~M-5~~ M-4 M-3.

F. Section will state whether S.Nos. 50/1B1, 1B3 and 50/2A may be entered in S.No. 50/1A as observed by [redacted] if so, it may be stated how the subdivisions should be renumbered.

To F. Section

24/5/41

Nolidar E. Section.

MI's observation at P2NF.

Kk Leads B.S.O. 82.A.15 as amended by C.O. 153/43, all 27/5 sahsos in a field of the same description can be clubbed and the clubbed sahsos denoted by the lowest no. of the subdivisions clubbed viz. S.Nos 50/1B1 and 50/2A which are now regd as assessed waste: adjoining proved are also regd as pore-school along with S. no 50/4/B6, they can be clubbed and denoted by the lowest no of the subdivs (S. no 50/1A). According to the instructions for preparing permit Regn A. form in the Manual of Office Accts for S.K. (also), state lands alienated to private individuals or institutions free of assessment shd be regd as pore. According to the extract of the Accts Agr furnished by the Collr. S. no 50/1A alienated in B.O. no 88 S dt 15.3.37 is regd as assessed waste. It is wrong

The Bd has now sanctioned the alienation of 12 cents of land out of 50-1-B So this plot of 12 cents may be asked to be clubbed with the plot previously alienated The other two tiny encroached plots are not to be alienated. So they cannot be clubbed with those alienated The C. says he will simply ignore these 2 petty encroachments.

So, the 12 cents now alienated may be denoted as 50-1-B-1 & it will

be clubbed with 50-1-A The remaining temporary sub-divisions 50-1-B-1 & 50-2-A will automatically disappear

30.V.44

To A.S (L.R)

Draft submitted for approval

JVM 2/6/44 ~~as~~ 5. The description of the sub-divisions on your draft leads to confusion simply say that 12 rods of land out of 50-1-B enclosed by the school compound wall is alienated

Then in para 2 you may instruct Revl. to denote the alienated portion first as 50-1-B-1 and then club it with the portion previously alienated.

About the registry of alienated land as Por please read the V.A. Manual 'X' para

6.6.44

To A.S (L.R)

'F' Satia

To A.S (L.R)

~~Thro it~~ Sechin.

Draft revised as ordered JVM 'X' above. The book is put up. Please see portion 'A' pg. of the DK. Please

10/6/44 a/p.

12.6.44

B.P.No. Mis. 1029
Dated 14-6-1944

~~Single Member.~~
~~Two Members~~
Full Board.

	I.A.	D.D.S. and L.R.	Assistant Secretary. L.R. Irrgn.	C.T. Excise.	JS.S.	M	M	M	M	M
						1	2	3	4	5
Open file seen by	-	-	✓	-	-	-	-	-	✓	✓
Final draft seen by	-	-	✓	-	-	-	-	-	-	-
Now circulated to	-	-	-	-	-	-	-	-	-	-
Initials.			JMM 19/6/44							

Passed for record.

Secretary.
Jt. Secretary.
A.S. (L.R.)
~~A.S. (Irrgn.)~~ 21.6.44
A.S. (Excise)
A.S. (Commr. Taxes.)
D.D.S. & L.R.
I.A.

Note: Entries not required to be scored out.

orders in G.O.No.

B.P.M's.No. 1982 dated 14-6-34 to the trees within the boundary walls of churches and mosques. As regards trees standing in detached compounds the Board has suggested that if the land

(1) surrounded by a wall

(2) maintained by the authorities of the church or mosque or (3) used solely or mainly in connection with religious ceremonies.